

Notice of Allowability

Application No.

08/843,711

Examiner

Sharon E. Kennedy

Applicant(s)

BAGAOISAN ET AL.

Art Unit

1615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 3, 2006.
2. ☒ The allowed claim(s) is/are 1 and 3-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 08/08/2006.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gunther O. Hanke on August 10, 2006.

The application has been amended as follows:

AMENDMENT

In the Claims:

The claims have been re-written in the proper reissue format below.

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1. (Amended) An intravascular catheter with an exchangeable shaft section, comprising:

a) an elongated tubular proximal shaft section having proximal and distal ends and a first inner lumen extending therein;

b) an elongated distal shaft section having proximal and distal ends, a port in the distal end of the distal shaft section, a second inner lumen extending therein in fluid communication with the first inner lumen in the proximal shaft section and a third inner lumen which is configured to slidably receive a guidewire and which extends therein to the port in the distal end of the distal shaft section[; and] , the distal end of the proximal shaft section being releasably connected to the proximal end of the distal shaft section to effect fluid communication between the first and second inner lumens;
and

c) [means to releasably interconnect the distal end of the proximal shaft section and the proximal end of the distal shaft section to effect fluid communication between the first and second inner lumens] an inflatable balloon provided on the distal shaft section, having an interior in fluid communication with the second inner lumen in the distal section.

2. (Cancelled)

3. (Amended) The intravascular catheter of claim 1 [wherein the connector means includes] including male threads on an end of one of the shaft sections and

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female threads on a mating end of the other shaft section which are configured to threadably engage the male threads.

4. (Original) The intravascular catheter of claim 1 wherein the tubular proximal shaft section includes an inner tubular member disposed therein which has a fourth inner lumen which is configured to slidably receive a guidewire therein and which is in communication with the third inner lumen in the distal shaft section.

5. (Amended) The intravascular catheter of claim [2] 1 wherein means are provided on the proximal end of the proximal section for directing fluid through the first inner lumen extending therein and the second inner lumen in the distal section into the interior of the balloon.

6. (Amended) A [dilatation] catheter with an exchangeable shaft section, comprising:

a) an elongated proximal shaft section having proximal and distal ends and [an] a first inner lumen extending therein to the distal end;

b) an elongated distal shaft section having proximal and distal ends, a second inner lumen extending from the proximal end of the distal shaft section to a location spaced proximally from the distal end of the distal shaft section, a distal port in the distal end, a third inner lumen extending therein to and being in fluid

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communication with the distal port and being coextensive and parallel with at least part of the second inner lumen;

c) [means to releasably connect] the distal end of the proximal shaft section being releasably connected to the proximal end of the distal shaft section to effect fluid communication between the first inner lumen of the proximal shaft section and the second inner lumen of the distal shaft section; and

d) an inflatable [dilatation] balloon on the distal shaft section having an interior in fluid communication with the second inner lumen.

7. (Amended) The [dilatation] catheter of claim 6 [wherein the connecting means include] including male threads on an end of one of the shaft sections and matching female threads on a mating end of the other shaft section.

8. (Amended) The [dilatation] catheter of claim 7 wherein the proximal shaft section includes inner and outer tubular members, the distal shaft section includes inner and outer tubular members and the [threaded connecting means] threads are on mating ends of the inner tubular members of the proximal and distal shaft sections.

9. (Amended) The [dilatation] catheter of claim 7 wherein the proximal shaft section includes inner and outer tubular members, the distal shaft section includes inner and outer tubular members and the [threaded connecting means] threads are on mating ends of the outer tubular members of the proximal and distal shaft sections.

10. (Original) A balloon catheter with an exchangeable shaft section, comprising:

a) an elongated proximal shaft section having proximal and distal ends and an first inner lumen extending therein to the distal end;

b) an elongated distal shaft section having proximal and distal ends, a second inner lumen extending from the proximal end of the distal shaft section to a location spaced proximally from the distal end of the distal shaft section, a distal port in the distal end of the distal shaft section, a third inner lumen extending within the distal shaft section to the distal port and a third inner lumen extending therein coextensive and parallel with at least part of the second inner lumen and being in fluid communication with the distal port;

c) means to releasably connect the distal end of the proximal shaft section and the proximal end of the distal shaft section to effect fluid communication between the first inner lumen of the proximal shaft section and the second inner lumen of the distal shaft section; and

d) an inflatable balloon on the distal shaft section having an interior in fluid communication with the second inner lumen.

11. (Original) The balloon catheter of claim 10 including an expandable stent which is mounted about the inflatable balloon in an uninflated condition and which is configured to expand upon the inflation of the balloon.

12. (Amended) A method of treating a patient's body lumen, comprising:

- a) providing an intraluminal catheter which has an elongated catheter shaft, a proximal shaft section, a replaceable distal shaft section [and means to] releasably [connect the replaceable distal section with] connected to the proximal shaft section;
- b) advancing the intraluminal catheter through a patient's body lumen until the catheter is disposed within a desired region thereof;
- c) performing an intraluminal procedure within the body lumen with the intraluminal catheter;
- d) withdrawing the intraluminal catheter from the patient;
- e) removing the replaceable distal shaft section of the intraluminal catheter;
- f) connecting a replacement distal shaft section to the proximal shaft section; and
- g) advancing the intraluminal catheter with the replacement distal shaft section into the patient's body lumen until the intraluminal catheter is disposed within a desired region of the patient's body lumen.

13. (Amended) A method of treating a patient's body lumen, comprising:

- a) providing a dilatation catheter which has an elongated catheter shaft, a replaceable distal shaft section, a dilatation balloon on the replaceable distal shaft

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section, and a proximal shaft portion [and means to connect the proximal and]
releasably connected to the distal shaft [sections] section;

b) advancing the dilatation catheter through the patient's vasculature until
the dilatation balloon is disposed within a stenotic region of a patient's artery;

c) withdrawing the dilatation catheter from the patient;

d) removing the replaceable distal shaft section of the catheter; [and]

e) connecting a replacement distal shaft section to the proximal shaft
section; and

f) advancing the catheter with the replacement distal shaft section into the
patient's vasculature until the catheter is disposed within a desired region of the
patient's vasculature.

14. (Original) The method of claim 13 wherein the replacement distal shaft
section has an inflatable balloon with an expandable stent mounted about the inflatable
balloon and when the inflatable balloon and stent mounted thereon are disposed within
the desired region of the patient's vasculature, inflating the balloon to expand the stent
within the desired region of the vasculature and then deflating the balloon so that the
catheter can be removed, leaving the expanded stent within the patient's vasculature.

15. (Amended) A dilatation catheter comprising:

a) an elongated catheter shaft having proximal and distal ends, a
guidewire port in the distal end, a guidewire receiving inner lumen extending to and

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being in fluid communication with the guidewire port and an inflation lumen extending to a location proximal to the distal end;

b) a proximal shaft section having proximal and distal ends and at least part of the inflation lumen extending therein to the distal end of the proximal shaft section; and

c) a replaceable distal shaft section having a proximal end, being releaseably connected by said proximal end of the distal shaft section to the distal end of the proximal shaft section, at least part of the inflation lumen extending within the distal shaft section distally therein from the proximal end of the distal shaft section to the location proximal to the distal end of the catheter shaft; and

d) a dilatation balloon on the distal shaft section surrounding the location having an interior in fluid communication with the portion of the inflation lumen extending within the distal shaft section.

16. (Original) An intravascular catheter comprising:

a) a proximal shaft section having a proximal end, a distal end and an inner lumen extending therein;

b) a distal shaft section having a proximal end, a distal end, a port in the distal end, a second inner lumen extending therein in fluid communication with the inner lumen of the proximal shaft section and a third inner lumen extending parallel and at least partially coextensive with the second inner lumen within the distal shaft section

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and in fluid communication with the port in the distal end of the distal shaft section;
and

c) means to releasably connect the proximal end to the distal shaft section to the distal end of the proximal shaft section.

17. (Original) The intravascular catheter of claim 16 wherein the distal shaft section is releasably connected to the proximal shaft section by means of interconnecting threads on the distal end of the proximal shaft section and on the proximal end of the distal shaft section.

18. (Original) The intravascular catheter of claim 17 wherein the threads on the distal end of the proximal shaft section are male threads and the mating threads on the proximal end of the distal section are female threads.

19. (Original) The intravascular catheter of claim 17 wherein the proximal section is a metallic tube.

20. (Original) The intravascular catheter of claim 19 wherein the metallic proximal shaft section has male threads on the distal end thereof.

21. (Original) The intravascular catheter of claim 17 wherein the means to releasably connect the proximal end of the distal shaft section to the distal end of the

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proximal shaft section includes an intermediate tubular element which has proximal and distal ends, threads on at least one of said ends which match the threads on the mating end of one of the shaft sections with the other of said ends of the intermediate tubular element being secured to the mating end of the other shaft section.

22. (Original) The intravascular catheter of claim 21 wherein threads are on the proximal end of the intermediate tubular element and the distal end of the proximal shaft section.

23. (Original) The intravascular catheter of claim 21 wherein threads are on the distal end of the intermediate tubular element and the proximal end of the distal shaft section.

24-32. (Cancelled)

Remarks

The amendment was necessary in view that applicant's set of January 3, 2006 contained minor errors in transcription from the original claim set. The examiner also added the original claims back into the list to ease printing problems.

Allowable Subject Matter

Claims 1, 3-23 are allowed for reasons of record.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Kennedy whose telephone number is 571/272-4948. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, can be reached on 571/272-8373.



Sharon E. Kennedy
Primary Examiner
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